

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

MICROSOFT CORPORATION,  
Plaintiff,  
vs.  
MOTOROLA, INC., *et al.*,  
Defendants.

Case No. C10-1823-JLR

**[PROPOSED] ORDER GRANTING  
NON-PARTY QUALCOMM INC.'S  
RENEWED MOTION TO SEAL**

NOTE ON MOTION CALENDAR:  
**Friday, September 6, 2013**

Without Oral Argument

**[PROPOSED] ORDER RE NON-PARTY  
QUALCOMM INC.'S RENEWED  
MOTION TO SEAL  
CASE No. 10-cv-1823-JLR**

COOLEY LLP  
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1 This matter having come before the Court on Non-Party Qualcomm Incorporated's  
 2 ("Qualcomm") Renewed Motion to Seal, and the Court having considered the motion papers and  
 3 the records on file herein, the Court hereby ORDERS that Qualcomm's Renewed Motion to Seal  
 4 is GRANTED as follows:

5 1. Pursuant to Local Rule CR 5(g), Qualcomm has established that compelling  
 6 reasons exist for sealing the following documents:

7 a. an Amendment to DS-CDMA Technology Agreement between Motorola  
 8 and Qualcomm, labeled MOTM\_WASH1823\_0025409-412 and **Defendants' Trial Exhibit**  
 9 **3230**, and designated "Confidential Business Information" and "Attorneys' Eyes Only";

10 b. an Agreement to Amend the Patent License Agreement and Technology  
 11 License Agreement and Software License Agreement between Motorola and Qualcomm, labeled  
 12 MOTM\_WASH1823\_0025413-430 and **Defendants' Trial Exhibit 3231**, and designated  
 13 "Confidential Business Information" and "Attorneys' Eyes Only";

14 c. a DS-CDMA Technology Agreement between Qualcomm and Motorola,  
 15 labeled MOTM\_WASH1823\_0025431-467 and **Defendants' Trial Exhibit 3232**, and  
 16 designated "Confidential Business Information" and "Attorneys' Eyes Only"; and

17 d. a Patent License Agreement between Motorola and Qualcomm, labeled  
 18 MOTM\_WASH1823\_0025489-502 and **Defendants' Trial Exhibit 3233**, and designated  
 19 "Confidential Business Information" and "Attorneys' Eyes Only."

20 2. These documents are confidential and contain trade secret information.  
 21 Qualcomm has done nothing to put that information at issue in this case where it is not a party.  
 22 These documents and any other materials containing trade secret information derived from these  
 23 documents shall be sealed.

24 3. The courtroom is to be cleared and closed when argument on this topic, testimony  
 25 on this topic, or these exhibits are discussed.

HON. JAMES L. ROBERT  
United States District Judge

1 Presented by:

/s/ Christopher B. Durbin

Christopher B. Durbin (WSBA #41159)

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Attorneys for Non-Party QUALCOMM, INC.

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4.

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**CERTIFICATE OF SERVICE**

I hereby certify that, on August 26, 2013, I caused to be electronically filed the foregoing **[Proposed] Order Re Non-Party Qualcomm Incorporated's Renewed Motion to Seal** with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all registered parties and non-parties in this action.

/s/Christopher B. Durbin  
Christopher B. Durbin

**CERTIFICATE OF SERVICE**  
**CASE No. 10-cv-1823-JLR**

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